

§ 300. Dispositions of property; damage payments; acceptance of gifts or services

(a) Authority of Secretary of State

The Secretary of State is authorized—

(1) to sell, exchange, lease, or license any property or property interest acquired under this chapter, or under other authority, for use of diplomatic and consular establishments in foreign countries or in the United States pursuant to section 4304(b)(5) of this title,

(2) to receive payment in whatever form, or in kind, he determines to be in the interest of the United States for damage to or destruction of property acquired for use of diplomatic and consular establishments abroad, and the contents of such buildings, and

(3) to accept on behalf of the United States gifts of property or services of any kind made by will or otherwise for the purposes of this chapter.

(b) Disposition of proceeds; report to Congress

Proceeds derived from dispositions, payments, or gifts under subsection (a) of this section shall, notwithstanding the provisions of any other law, be applied toward acquisition, construction, or other purposes authorized by this chapter or held in the Foreign Service Buildings Fund, as in the judgment of the Secretary may best serve the Government's interest: *Provided*, That the Secretary shall report all such transactions annually to the Congress with the budget estimates of the Department of State.

(c) Proceeds from sale of furniture, furnishings, and equipment

Notwithstanding subsection (b) of this section, proceeds from the disposition of furniture, furnishings, and equipment from diplomatic and consular establishments in foreign countries shall be deposited into the Foreign Service Building Fund to be available for obligation or expenditure as directed by the Secretary.

(May 7, 1926, ch. 250, § 9, as added Apr. 19, 1945, ch. 78, 59 Stat. 53; amended Pub. L. 88-94, § 2(e), Aug. 12, 1963, 77 Stat. 122; Pub. L. 89-636, § 3, Oct. 10, 1966, 80 Stat. 882; Pub. L. 99-399, title IV, § 401(h)(2), Aug. 27, 1986, 100 Stat. 863; Pub. L. 101-246, title I, § 116(c), Feb. 16, 1990, 104 Stat. 25.)

AMENDMENTS

1990—Subsec. (a)(1). Pub. L. 101-246 inserted before comma at end “or in the United States pursuant to section 4304(b)(5) of this title”.

1986—Subsec. (c). Pub. L. 99-399 added subsec. (c).

1966—Subsec. (a). Pub. L. 89-636 substituted provisions designated as subsec. (a) and authorizing the Secretary to sell, exchange, lease, or license any property or property interest acquired under this chapter, to receive payment in whatever form, or in kind, for damage to or destruction of buildings or their contents, and to accept gifts of property or services for former provisions which authorized the Secretary, when he found it to be in the Government's interest, to sell buildings and grounds acquired for use of diplomatic and consular establishments in foreign countries.

Subsec. (b). Pub. L. 89-636 substituted provisions designated as subsec. (b) and providing for application of proceeds derived from dispositions, payments, or gifts under subsec. (a) toward acquisition, construction, or other purposes authorized by this chapter, as in the judgment of the Secretary may best serve the Government's interest, for former provision for application of

proceeds of sales toward purchase and construction, furnishing, and preservation of other properties.

1963—Pub. L. 88-94 struck out “with the concurrence of the Foreign Service Buildings Commission,” after “Government,” and “, as in the judgment of the Commission may best serve the Government's interest” after “Foreign Service building fund”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2715c, 4304 of this title.

§ 301. Lease or rental arrangements of not less than ten years; approval by Secretary; delegation of authority; information to Congress

(a) Leases

Notwithstanding the provisions of this chapter or any other Act, no lease or other rental arrangement for a period of less than ten years, and requiring an annual payment in excess of \$50,000 shall be entered into by the Secretary of State for the purpose of renting or leasing offices, buildings, grounds, or living quarters for the use of the Foreign Service abroad, unless such lease or other rental arrangement is approved by the Secretary. The Secretary may delegate his authority under this section only to the Deputy Under Secretary of State for Administration or to the Director of the Office of Foreign Buildings. The Secretary shall keep the Congress fully and currently informed with respect to leases or other rental arrangements approved under this section.

(b) Advance payments for long-term leases and lease purchase

The Secretary may, subject to the availability of appropriations, make advance payments for long-term leases and lease-purchase agreements, if the Secretary or his designee determines, in each case, that such payments are in the interest of the United States Government in carrying out the purposes of this chapter.

(May 7, 1926, ch. 250, § 10, as added Pub. L. 89-636, § 4, Oct. 10, 1966, 80 Stat. 882; amended Pub. L. 102-138, title I, § 115(a), (b), Oct. 28, 1991, 105 Stat. 655.)

AMENDMENTS

1991—Pub. L. 102-138 designated existing provisions as subsec. (a), inserted heading, substituted “\$50,000” for “\$25,000,” and added subsec. (b).

AUTHORITY OF SECRETARY OF STATE

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103-236, set out as a note under section 2651a of this title.

§ 302. Award of contracts

(a) Eligibility limitation for construction, etc., abroad

Eligibility for award of contracts under this chapter or of any other contract by the Secretary of State, including lease-back or other agreements, the purpose of which is to obtain the construction, alteration, or repair of buildings and grounds abroad, when estimated to ex-